



Agenda Item 9.1

Meeting	SPA Complaints and Conduct Committee
Date	1 March 2023
Location	Video Conference
Title of Paper	Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing – Police Scotland Update
Presented By	ACC Alan Speirs, Professionalism and Assurance
Recommendation to Members	For Discussion
Appendix Attached	No

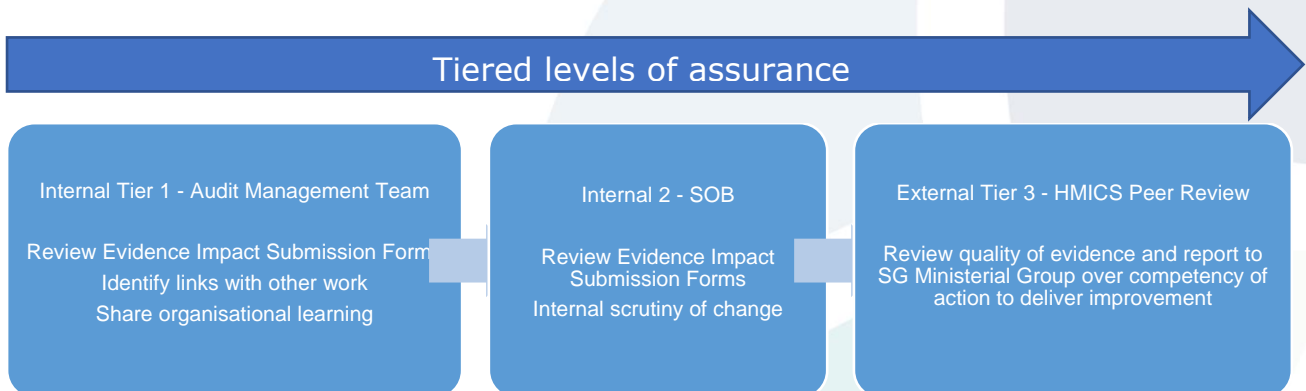
PURPOSE

To provide an update in respect of Dame Elish’s Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing.

Members are invited to discuss the contents of the report.

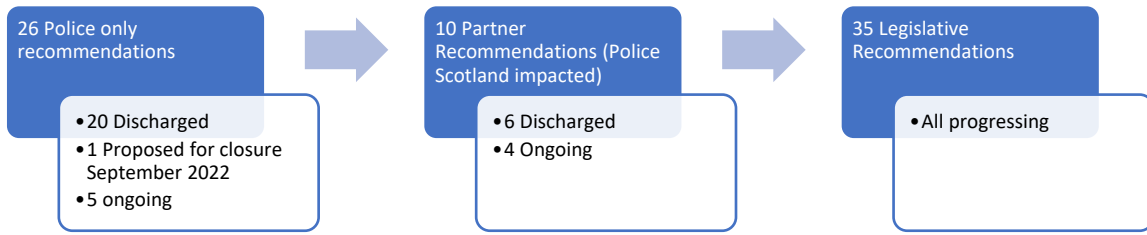
1. BACKGROUND

- 1.1 In November 2020, the Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing was published.
- 1.2 Professional Standards Department immediately assessed all recommendations and work began towards addressing them. It was evident that a number of the recommendations would require a wider response from within Police Scotland.
- 1.3 In July 2021, a Strategic Oversight Group was formed to oversee progress and approve recommendations for closure. As well as internal stakeholders, staff associations were invited which has been crucial in providing independent challenge around the direction of action taken and the closure of recommendations.
- 1.4 A three tier approach to governance and the closure of recommendations was developed to provide assurance that the evidence presented demonstrated the desired impact and robustly addressed the recommendation. HMICS agreed to perform an external peer review of all closing statements.



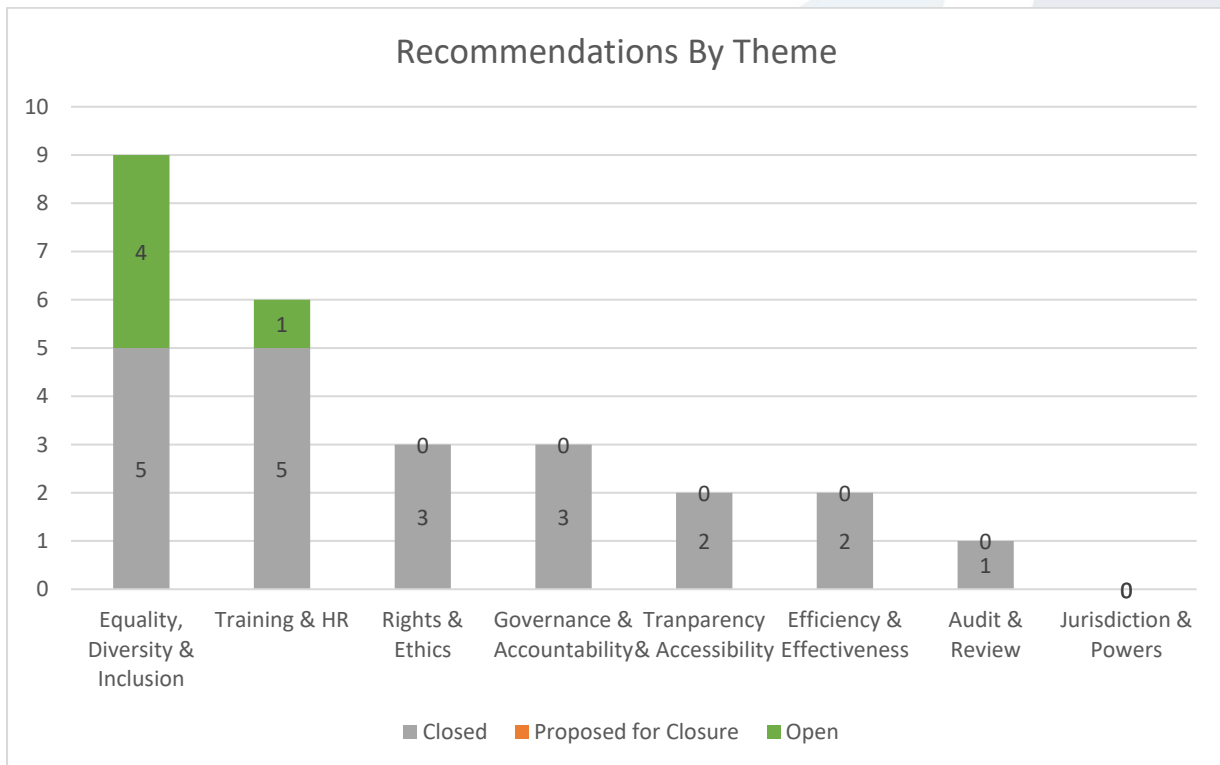
2. SUMMARY OF PROGRESS

- 2.1 The following provides an update in respect of the recommendations relating to the Independent Reviews of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing.



At this stage, the recommendations requiring legislation have not been subject to tracking but are monitored by PSD for impact.

2.2 The following graph shows the progress to date by theme. The graph shows 21 recommendations that have been through all levels of governance and approved for closure by the SG Ministerial Group.



3. ACHIEVEMENTS TO DATE

3.1 In relation to the 21 already confirmed as closed, the significant achievements include:

- Professional Standards Department staff are now responsible for all front line resolution of complaints ensuring greater consistency and compliance.

- ☑ Improvements to training provided to Professional Standards Department staff through the provision of a comprehensive 5-day induction training package. A refresher training programme has also been established, with Continued Professional Development events taking place on a regular basis. A dedicated Training Officer has been appointed in National Support, Partnerships and Prevention Unit (NSPPU), with responsibility for coordination of all training across PSD business areas.
- ☑ Improved understanding of EDI matters within the organisation through dedicated plans, mechanisms for feedback and structures for ongoing oversight.
- ☑ A structured programme of EDI training is planned, with more specific training products delivered in respect of Unconscious Bias to specific groups of staff.
- ☑ Sergeants are now provided with improved training in respect of mental health, reflecting the increased demand in society and the types of complaints that routinely emerge in this regard.
- ☑ Improved diversity within our disciplinary panels and training in respect of Unconscious Bias delivered.
- ☑ Whistleblowing guidance reviewed and updated and a method of continued assessment of performance introduced to generate year on year improvements.
- ☑ Improved scrutiny at national and local levels through greater provision of statistics, trends and analysis.
- ☑ Improved transparency and visibility of the complaint making process through updating websites, creating FAQs, producing QR code and distributing posters.

4. ONGOING ACTIONS

4.1 Recommendation 5 – Diversity Data Public Reporting – Expansion and Reporting

The review asked Police Scotland to consider expanding the collection of diversity data and the publication of information in order to enhance understanding, and public understanding, of attitudes and concerns in different communities.

The Data Owner Group and Data Working Group are now established and will assist to progress this and associated actions. A health check of the Professional Standards Department IT system, Centurion, has been carried out and an upgrade to the system is now being progressed with a view to upgrade/improvement in respect of capturing diversity data. A short life working group is in the process of being established to progress a further upgrade in 2023. The upgrade to Centurion will allow diversity data to be collated for future use to better understand the profile of complaints, make better comparisons and identify trends.

The Professional Standards Department has been working in collaboration with COPFS, PIRC and the SPA to ensure consistency in the gathering and analysis of diversity data throughout the complaint and conduct journey. This has been used to inform the initial upgrade required.

There are a number of steps required from an ICT perspective, prior to the first upgrade being carried out, to ensure that our internal systems can support the changes. ICT testing is now complete and the system is now subject to pre-production departmental testing and any issues reported to ICT for investigation and resolution. Once complete, this will be confirmed with the provider, whereupon the functions of the upgraded system will be added into pre-production for further testing and implementation of Police Scotland specific workflow groups and legislation.

The final phase is a training programme for all users prior to system upgrade.

A Data Assurance Co-ordinator took up post in November 2023; their remit will include the capture, analysis and reporting of diversity data.

4.2 **Recommendation 11 – Sergeant Workload and Supervisory Ratios**

The review asked Police Scotland to examine the workload of the Sergeant rank at the front line and the supervisory ratio of Sergeants to Constables in order to create sufficient capacity for management, coaching and mentoring duties.

The report on the rank ratio work is complete. This is now subject to a separate action plan with agreed ownership. ACC Mairs is leading and a Working Group is in place comprising action owners. A review cycle is in place for monitoring progress with interim

updates required for November and January. An update is to be provided to SLB in February where it is expected that the recommendations will be complete and can be discharged.

In addition to the rank ratios work, there are 2 further recommendations that will support the full implementation of this recommendation once complete.

- Undertake a training needs analysis of core line manager skills for both newly and recently promoted sergeants and consider a refresh of such for officers in the rank; and
- The Local Policing Service Delivery Review Team are to undertake a more detailed review of workload, role profile and skills of the frontline Sergeant.

4.3 Recommendation 18 – Independent Review of Equality Matters within Police Scotland – Pending – No further action required from Police Scotland at present

The review asked that Police Scotland be the subject of a broader, fundamental review of equality matters by an independent organisation.

An Independent Review Group has been established to provide critical oversight of equality matters, guide strategic direction and scrutinise activity. HMICS previously indicated that they would not close this recommendation until the IRG report on their findings.

The IRG were originally due to report in September 2022 but due to delays will now provide a full report to SPA by end of 2023.

Meanwhile, Police Scotland has progressed to strengthen our approach to EDI with the establishment of the EDI & HR SOB. In September 2022, Police Scotland published the Policing Together: Equality, Diversity and Inclusion Strategy and Implementation plan.

As a result of the above, an updated Evidence Submission was sent to HMICS to consider closure but rejected until such a time that the IRG report on findings. There is no further action that can be taken by Police Scotland at this time and will be discussed at the next Strategic Oversight Group in February 2023 to confirm next steps.

4.4 **Recommendation 19 – Diversity Data Collection and Analysis**

The review asked Police Scotland to develop its diversity data collection and analysis to inform a proper understanding of issues related to discrimination.

Data Ownership Group and Data Working Group have been established within PSD to, amongst other terms, examine data requirements and ensure systems are fit for purpose in respect of their capacity to capture diversity data (Centurion Database). This will continue to link in to the work of EDI groups to ensure data capture is relevant across the organisation. Further collaboration is ongoing with SPA, COPFS and PIRC in order to align the data that each organisation captures and ensure that information collection and analysis is meaningful and informative. The Centurion SLWG is in the process of being established to progress a further upgrade in 2023 which will further enhance its capability in identifying trends and analysis to drive improvement across the organisation.

A Data Assurance Co-ordinator took up post in November 2023; their remit will include the capture, analysis and reporting of diversity data.

4.5 **Recommendation 60 – Complaints Demographic Analysis**

The review asked Police Scotland to collect and analyse data to undertake demographic modelling and gain a better understanding of different groups and communities' experience of the police service.

As detailed in recommendations 5 and 19, PSD has established a Data Ownership Group and a Data Working Group. A review of Centurion has taken place and work ongoing with the product suppliers and Police Scotland to ensure the system is ready for upgrade.

This will allow the capture of demographical data and enhance the organisation's understanding of complaints across communities, allowing analysis and proactive approach in the overall Policing Together initiative and the Preventions & Professionalism Programme.

5. OTHER RECOMMENDATIONS

5.1 There remain 4 recommendations where Police Scotland has an interest or part to play but are not allocated the lead. The most recent update is provided against each below.

R13 – Scottish Government to lead - This is likely to require legislation to address data protection matters. Initial discussions with operational partners and staff associations have therefore taken place ahead of a full public consultation in 2022. PIRC and Police Scotland continue to explore Centurion’s capabilities and possible non-legislative options prior to any potential legislative changes being made.

R32 – SPA to lead - SPA has appointed its Vice-Chair as ethics champion. Plans are also in place to develop an Ethical Oversight Framework and, if approved, is likely to be delivered by June 2022. Work undertaken to explore international best practice approaches to ethics in law enforcement will inform the Framework. Further links anticipated through SG’s Independent Advisory Group on New and Emerging Technologies in Policing ‘legislation and ethical standards’ work stream in 2022/23.

R53 – Scottish Government to lead - Initial discussions with operational partners and staff associations took place on this recommendation prior to the full public consultation during 2022. Discussions are also underway with the UK Government to better understand the systems and arrangements in place in England and Wales to help consider this recommendation.

PR27 – All Partners - This links to work undertaken for recommendation 42. The National Complaint Handling Development Group continues to progress arrangements for an annual multi-agency audit of Police Scotland's complaint handling involving the SPA, Police Scotland and the PIRC. Police Scotland has also developed an internal Quality Assurance process and methodology which are now in place. The first audit took commenced during March 2022. The report and associated outcomes and recommendations is awaited.

6.1 FINANCIAL IMPLICATIONS

6.1 There are/ are no financial implications in this report.

7. PERSONNEL IMPLICATIONS

7.1 There are/ are no personal implications in this report.

8. LEGAL IMPLICATIONS

8.1 There are/ are no legal implications in this report.

9. REPUTATIONAL IMPLICATIONS

9.1 There are/ are no reputational implications in this report.

10. SOCIAL IMPLICATIONS

10.1 There are/ are no social implications in this report.

11. COMMUNITY IMPACT

11.1 There are/ are no community implications in this report.

12. EQUALITIES IMPLICATIONS

12.1 There are/ are no equality implications in this report.

13. ENVIRONMENT IMPLICATIONS

13.1 There are/ are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the content of this report.